

Date of Hearing: April 17, 2023

ASSEMBLY COMMITTEE ON TRANSPORTATION

Laura Friedman, Chair

AB 464 (Schiavo) – As Amended April 5, 2023

SUBJECT: Public documents: driver's licenses and vital records

SUMMARY: Exempts a person who can verify their status as a homeless person from paying fees for an original or renewal driver's license (DL) and exempts a person who is a recipient of specified public assistance programs from paying a fee for a birth certificate or marriage record or marriage dissolution record. Specifically, **this bill:**

- 1) Prohibits a fee from being paid by an applicant for a certified copy of any of the following records if the applicant is a person who is a recipient of assistance under the California Work Opportunity and Responsibility to Kids Act (CalWORKs), the Burton-Moscone-Bagley Citizens' Income Security Act for Aged, Blind and Disabled Californians, County Aid and Relief to Indigents, CalFresh, the California Food Assistance Program for Legal Immigrants, or the Cash Assistance Program for Aged, Blind, and Disabled Legal Immigrants:
 - a) A birth certificate; or,
 - b) A marriage record or marriage dissolution record.
- 2) Requires the determination of eligibility for the provisions in 1) above to be made by a governmental or nonprofit entity, which will be subject to regulations adopted by the State Registrar.
- 3) Provides that a person who can verify their status as a homeless person, as defined, is exempt from paying fees for an original or renewal DL fee.
- 4) Defines "homeless person" the same as a homeless person under the federal McKinney-Vento Homeless Assistance Act, which includes the following:
 - a) An individual or family who lacks a fixed, regular, and adequate nighttime residence.
 - b) An individual or family with a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings, including a car, park, abandoned building, bus or train station, airport, or camping ground.
 - c) An individual or family living in a supervised publicly or privately operated shelter designated to provide temporary living arrangements (including hotels and motels paid for by Federal, State, or local government programs for low-income individuals or by charitable organizations, congregate shelters, and transitional housing.
- 5) Provides that a homeless service provider that has knowledge of the person's housing status may verify the person's status as homeless.

- 6) Defines a homeless service provider to include a governmental or nonprofit agency receiving government funding to provide homeless services, a California licensed attorney, a local educational agency liaison for homeless children and youth, a public social services provider, a law enforcement officer with certain designations, or any other homeless services provider the Department of Motor Vehicles (DMV) determines to have eligibility.

EXISTING LAW:

- 1) Authorizes the DMV to issue an identification (ID) card to any person who provides their true full name, correct age, and any other identifying data as required by DMV. (Vehicle Code Section (VEH) 13000)
- 2) Establishes a \$26 fee to be paid to DMV for the issuance of an ID card, adjusted annually for inflation. (VEH 14902)
- 3) Establishes a \$6 fee, adjusted annually for inflation, for ID cards issued to individuals that qualify for public benefits. (VEH 14902)
- 4) Establishes an \$8 fee, adjusted annually for inflation, for ID cards issued to individuals in a correctional facility. (VEH 14902)
- 5) Authorizes DMV to adjust certain fees annually by the California Consumer Price Index, rounded to the nearest dollar. (VEH 1678)
- 6) Waives the ID fee for unhoused persons. (VEH 14902)
- 7) Specifies that the issuance of an original or replacement ID card for a senior citizen shall be issued free of charge. (VEH 14902)
- 8) Authorized DMV to charge a fee of \$30, adjusted for inflation, for an original class C or M DL and for a renewal DL. (VEH 14900 and VEH 14900.1).

FISCAL EFFECT: Unknown

COMMENTS:

AB 1733 (Quirk Silva) Chapter 764, Statutes of 2014, created a process for DMV to waive the fee for an ID card for homeless individuals. The rationale given at the time for the fee waiver was because “many people experiencing homelessness lack the necessary forms of personal identification needed to establish their eligibility for various public assistance and social programs. The most common forms of ID that people need in order to access these programs are birth records and a valid, government-issued photo ID.”

In 2019, DMV issued 137,888 ID cards for unhoused individuals. In 2020, it issued 75,314 IDs, and in 2021 it issued 100,721. While unhoused individuals can get ID cards for free, they cannot get the same fee waivers for DLs under current law.

ID and DL cards are especially important for unhoused individuals. According to a survey from the National Law Center on Homelessness and Poverty (NLCHP), in a given month in 2004, 54% of homeless people without photo ID were denied access to shelters or housing services, 53% were denied food stamps, and 45% were denied access to Medicaid or other medical services.

According to the Legislative Analysis Office, California has a disproportionately large homeless population. Over 151,000 Californians are estimated to be homeless. According to the Homeless Policy Research Institute, 27% of the national homeless population is in California. 72% of those who are homeless in California are also unsheltered, the highest share of unsheltered homeless of any state. In fact, half of the people experiencing unsheltered homelessness reside in California.

A recent survey by NLCHP, which tracks policies in 187 cities, found the number of prohibitions against vehicle residency has more than doubled during the last decade. "Much like outdoor camping and sleeping bans, city-wide restrictions on living in vehicles may leave no lawful place where homeless people may live in a community," NLCHP stated. "Bans that permit vehicle impoundment, or that result in impoundment flowing from unpaid tickets or other enforcement of such bans, can cause homeless people to lose their shelter, transportation, and personal belongings in one fell swoop – with no realistic option to retrieve or replace them... While not a long-term solution, many homeless advocates are urging cities to start more seriously thinking about safe parking programs – in which certain lots are designated for people living out of their cars – as vehicular homelessness continues to climb."

According to the author, "AB 464 will reduce administrative barriers for low-income individuals seeking employment, housing, healthcare, and more. AB 464 does so by exempting individuals, based on their qualification for certain public assistance, from having to pay fees otherwise required for copies of vital records or for California State Identification and Driver's License renewals."

In Los Angeles County alone, there are over 16,000 people living in their vehicles each night, representing 25% of people experiencing homelessness. Parking restrictions and city ordinances prohibiting people from sleeping in cars can often make living in a car an expensive endeavor. Cities like Los Angeles have created something called "Safe Parking Programs," which provide parking lots for the unhoused to sleep in to avoid hefty fines or even tows that the city may enforce for parking in the wrong place.

Many of these Safe Parking Program lots require someone to have a valid DL. While \$38 may not be a lot of money for many people, it is nearly one-fourth of the monthly allowance the state provides to a single low income individual under CalFresh benefits for food.

Having identification is also key to accessing public benefits. Programs such as Medi-Cal, CalFresh, CalWORKs, SSI, and other programs critical for extremely low income Californians all require identification as part of the application and eligibility determination process. While individuals can currently get an identification card for this purpose, a DL is far more useful since it opens the doors to employment opportunities that often require a valid license or that involve driving for the employer.

According to The Corporation for Supportive Housing, “People experiencing homelessness often lose their identification, as they focus on day-to-day survival. Yet, to access housing and income supports, they must gain access to driver’s licenses and other paperwork. Studies show six to seven percent of American adults do not have access to documents proving birth or citizenship, a disproportionate number who are low-income. Lack of identification imposes a host of negative outcomes. Sixty percent of people who are unhoused experienced police harassment or arrest if they cannot produce an ID on demand and 54% of people without ID’s are denied shelter or housing services. An ID is essential for legal employment and key to accessing healthcare, as well as regaining stability after a period of incarceration.

AB 464 will waive fees for Californians whose income qualifies them for public assistance in obtaining copies of birth certificates, death records, marriage or divorce records, or originals of driver’s licenses (or renewals) and state identification cards. So doing will allow people experiencing homelessness to obtain vital documents they require to access income, employment, and housing.”

Double Referral: This bill was heard first in Assembly Health Committee. See the analysis for that committee for a discussion of the provisions of the bill related to vital records.

Related Legislation:

AB 962 (Fong) of 2023 exempts the fee for an ID for low income applicants issued by DMV from being adjusted for inflation. That bill passed out of this committee and pending before the Assembly Appropriations Committee.

AB 1738 (Wendy Carrillo) of 2023 Requires DMV to establish a pilot program in the counties of Los Angeles, Orange, San Diego and Sacramento and the City and County of San Francisco to assist persons experiencing homelessness with obtaining an identification card. That bill is set for a hearing in Assembly Transportation Committee.

Previous legislation:

AB 1733 (Quirk Silva), Chapter 764, Statutes of 2014, created a process for DMV to waive the fee for an ID card for homeless individuals.

AB 771 (Bennett) of 2021 was substantially similar to the DL provisions of this bill. That bill was held on suspense in Assembly Appropriations Committee.

REGISTERED SUPPORT / OPPOSITION:

Support

Aspiranet
California Coalition for Youth
Corporation for Supportive Housing
National Association of Social Workers, California Chapter
Western Center on Law & Poverty

Opposition

County Recorders Association of California

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